

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

John Frederic Garmon,

No. C 04-3772 WDB

Plaintiff,

**ORDER RE PLAINTIFF'S MOTION  
FOR COSTS**

v.

Peralta Community College District,  
et al.,

Defendant(s).

On June 16, 2006, plaintiff filed his Motion for Attorneys' Fees, Costs and Declaratory Relief. As stated in the Court's Order re Plaintiff's Motion for Attorneys' Fees and Costs, filed August 17, 2006, the Court denied plaintiff's request for attorneys' fees. The Court did state that it would consider awarding a portion of plaintiff's request for costs if, by August 25, 2006, plaintiff filed a supplemental submission identifying those costs that are attributable only to plaintiff's successful retaliation claim. The August 17th order also stated that the matter of costs would be deemed submitted September 1, 2006.

Plaintiff did not file a supplemental submission pertaining to costs. We interpret plaintiff's declination to file the necessary supplemental support for his request for costs as a withdrawal of that request. Accordingly, plaintiff's June 16th motion for costs is DENIED.

1           This order disposes of docket number 126.

2       IT IS SO ORDERED.

3       Dated:   September 5, 2006

4                               /s/ Wayne D. Brazil  
5                               WAYNE D. BRAZIL  
6                               United States Magistrate Judge

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